

March 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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FILED

MAR 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ATTORNEYS FOR DEFENDANT/APPELLANT

IN THE SUPREME COURT OF THE
STATE OF MONTANA

DEBBIE PATCH, as Personal
Representative of the Estate of
BRANDON PATCH, Deceased, and
Debbie and Duane Patch,

Plaintiffs/Appellees,

vs.

HILLERICH & BRADSBY CO.,
d/b/a LOUISVILLE SLUGGER,

Defendant/Appellant.

**Supreme Court Cause No.
DA 10-0051**

**DEFENDANT/APPELLANT
HILLERICH & BRADSBY
CO.'S UNOPPOSED MOTION
FOR EXTENSION OF TIME**

Pursuant to Montana Rule of Appellate Procedure 26(1),

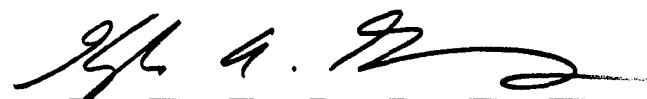
Defendant/Appellant Hillerich & Bradsby Co., dba Louisville Slugger,

hereby asks the Court for a 30 day extension of time from the original due

date of April 19, 2010, up through and including May 19, 2010, in which to file its opening brief. The undersigned has contacted opposing counsel and there is no objection to this motion.

For the Court's convenience, a proposed order and stamped, addressed envelopes for all counsel are included herewith.

DATED this 24th day of March, 2010

A handwritten signature in black ink, appearing to read 'W. Scott Mitchell', is written over a horizontal line.

W. Scott Mitchell

~~Robert L. Sterup~~

Kyle A. Gray

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1500 First Interstate Center

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Attorneys for Defendant/Appellant
Hillerich & Bradsby Co.

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and accurate copy of the foregoing upon each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Curt Drake
Drake Law Firm, P.C.
111 North Last Chance Gulch
Suite 3J, Arcade Building
P.O. Box 1181
Helena, MT 59624-1181

☒ U.S. Mail
☐ Overnight Mail
☐ Hand Delivery
☐ Facsimile

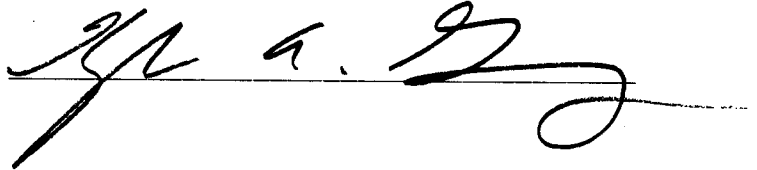
Joe E. White, Jr.
White & Weddle, P.C.
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Oklahoma City, OK 73118

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Kelly A. George
James A. Scimeca
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☐ Overnight Mail
☐ Hand Delivery
☐ Facsimile

Dated this 24th day of March, 2010

A handwritten signature in black ink, appearing to read "K. A. George", written over a horizontal line.